10/539088 JC17 Rec'd PCT/PTO 15 JUN 2005

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

Kenichi MIYOSHI

Application No.:

New PCT National Stage Application

Filed:

June 15, 2005

For:

RADIO COMMUNICATION APPARATUS AND TRANSMISSION

METHOD

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The N. MAEDA, et al. document is discussed in the present application at page 1, line 12. The S. NOBILET, et al. document is discussed at page 2, line 2 et seq. The following are English equivalents to foreign patent documents: WO448/JP532, US425/JP788, US421/WO334, US980/JP883, WO326/JP068, US723/JP478/JP689.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see <u>Beckman Instruments</u>, <u>Inc. v. Chemtronics</u>, <u>Inc.</u>, 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

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Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter

Registration No. 28,732

Date: June 15, 2005

JEL/spp

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ATTORNEY DOCKET NO. L9289.05145

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FORM PTO-1449 (Rev. 4/92) U.S. Department of Commerce Patent and Trademark Office

(Use several sheets if necessary)

ATTY. DOCKET NO.

L9289.05145

New PCT Nat1 Stage Application

**APPLICANT** 

Kenichi MIYOSHI

FILING DATE June 15, 2005

**GROUP** 

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**EXAMINER** 

**DATE CONSIDERED** 

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.